

**Assembly Joint Resolution**

**No. 35**

**Introduced by Assembly Member Bermudez**

August 30, 2005

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Assembly Joint Resolution No. 35—Relative to air fields.

LEGISLATIVE COUNSEL’S DIGEST

AJR 35, as introduced, Bermudez. Air travel: repeal of Wright Amendment.

This measure would urge the Congress of the United States to repeal that parties of the Internation Air Transportation Competition Act of 1979, commonly known as the Wright Amendment.

Fiscal committee: no.

1 WHEREAS, Southwest Airlines began service into the  
2 California market in 1982, driving down the cost of flying; and  
3 WHEREAS, The Southwest Effect, a phrase coined by the  
4 U.S. Department of Transportation, consistently occurs when  
5 Southwest Airlines enters a market: namely, fares dramatically  
6 drop, and passenger traffic dramatically increases, which  
7 democratized the skies of California; and  
8 WHEREAS, Southwest Airlines is the number one carrier in  
9 California, employing 4,697 people, operating 637 flights per day  
10 from eight California cities, and commanding 75 percent of the  
11 intrastate market; and  
12 WHEREAS, In 1967, Southwest Airlines chose Dallas Love  
13 Field as the base of operations for its new, low-fare airline, which  
14 is based on the concept that air travel should be dependable and  
15 affordable for everyone; and

1 WHEREAS, The fledging company endured years of litigation  
2 intended to prevent it from fairly competing with the newly built  
3 Dallas/Fort Worth International Airport (DFW) and the major  
4 airlines operating out of the airport; and

5 WHEREAS, In 1980, with the admitted purpose of protecting  
6 DFW and the major airlines which serve it, Congress passed the  
7 Wright Amendment, Section 29 of the International Air  
8 Transportation Competition Act of 1979 (P.L. 96-192), which  
9 restricts travel into and out of Love Field and prevents customers  
10 from purchasing an airline ticket for travel from Love Field to  
11 destinations outside of Texas, Louisiana, Arkansas, Oklahoma, or  
12 New Mexico; and

13 WHEREAS, The Shelby Amendment added Kansas, Alabama  
14 and Mississippi to the permissible out-of-state destinations in  
15 1997; and

16 WHEREAS, While the Wright Amendment has an effect on  
17 all airlines which operate out of Love Field, Southwest Airlines  
18 bears the major impact of the Wright Amendment; and

19 WHEREAS, A customer traveling from Love Field cannot  
20 purchase a ticket from Southwest Airlines for travel beyond any  
21 point within the Wright Amendment states, even if that customer  
22 is willing to make a stop within one of those states; and

23 WHEREAS, Southwest Airlines is legally prohibited from  
24 offering or advertising the availability of flights between Love  
25 Field and any city outside the Wright Amendment service area,  
26 preventing it from competing in those markets; and

27 WHEREAS, Since Southwest Airlines is only allowed to fly  
28 short-haul flights from Love Field, which is the type of flight that  
29 has declined most significantly since September 11, 2001, the  
30 restrictions of the Wright Amendment have limited the growth of  
31 the company and the access of the public to competitive,  
32 low-cost air travel; and

33 WHEREAS, Love Field will never rival DFW in the size and  
34 scope of its operations because the Love Field Master Plan limits  
35 its growth to 32 gates while DFW has 140 gates and is still  
36 growing; and

37 WHEREAS, DFW is now the world's third busiest airport,  
38 serving more than 53 million passengers last year, and because of  
39 the lack of competition from airlines such as Southwest Airlines,

1 DFW has one of the highest averages for fares in the country;  
2 and

3 WHEREAS, While it has been suggested that Southwest  
4 Airlines should just move some of its flights to DFW, splitting its  
5 operations would have an economic impact on Southwest  
6 Airlines, which has proven to be one of the most profitable in the  
7 airline industry, with 32 consecutive years of profitability; and

8 WHEREAS, Many experts agree that the repeal of the Wright  
9 Amendment will have a positive effect on the airline industry by  
10 increasing competition, thereby benefiting the public by lowering  
11 air fares and giving customers more options; and

12 WHEREAS, The repeal of the Wright Amendment will benefit  
13 the residents of California by expanding options for travel by air  
14 and will give tourists and visitors more opportunities to visit our  
15 state and will provide more efficient service to business travelers;  
16 and

17 WHEREAS, Southwest Airlines' financial impact pumps  
18 billions of dollars into the state of California annually, and as a  
19 result of the Wright Amendment restrictions, is losing an  
20 additional estimated \$500 million in economic impact; and

21 WHEREAS, Californians are being denied direct access to  
22 Dallas Love Field at an estimated 22 percent lower fares due to  
23 the restrictions of the Wright Amendment; and

24 WHEREAS, Southwest has ranked number one in customer  
25 service by the Department of Transportation for the past 10  
26 years, since the Department of Transportation began tracking  
27 customer complaints; and

28 WHEREAS, Southwest Airlines has played a key role in  
29 revitalizing the California air travel market and in ensuring the  
30 California consumer more competitive, affordable, and high  
31 quality air travel choice; now, therefore, be it

32 *Resolved by the Assembly and the Senate of the State of*  
33 *California, jointly,* That the Legislature of the State of California  
34 respectively urges the Congress of the United States to repeal the  
35 Wright Amendment; and be it further

36 *Resolved,* That the California Legislature calls upon United  
37 States Senators Diane Feinstein and Barbara Boxer and the  
38 California congressional delegation in the House of  
39 Representatives to support legislation that would repeal the  
40 Wright Amendment; and be it further

1     *Resolved*, That the Chief Clerk of the Assembly transmit  
2 copies of this resolution to the President and Vice President of  
3 the United States, to the Speaker of the United States House of  
4 Representatives, to the United States Senate Majority Leader,  
5 and to each Senator and Representative from California in the  
6 Congress of the United States.

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